



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION OF LYNN WEIDENFELLER

APPLICANTS: Stemmer et al. CONFIRMATION NO. 6144
SERIAL NO.: 09/710,903 GROUP ART UNIT: 2174
FILED: November 14, 2000 EXAMINER: Peng Ke
TITLE: "METHOD FOR ALTERING A PROTOCOL IN A MAGNETIC
RESONANCE APPARATUS"

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

S I R:

1. I, LYNN WEIDENFELLER, declare and state as follows:
2. I am employed as the supervisor of the Docketing Department for the firm of Schiff Hardin LLP as of the date of filing of the above-referenced application. In that position, at all times relevant hereto I have been responsible for supervising all patent application correspondence between Schiff Hardin LLP and the United States Patent and Trademark Office.
3. I have personally reviewed the file for this application and have ascertained that no Notice of Allowance and Fee(s) Due is present in the file maintained under my supervision for this application at Schiff Hardin LLP. I have also personally reviewed the locations at which an entry would have been made, if Schiff Hardin LLP had received a paper from the Patent and Trademark Office indicating a requirement to pay an Issue Fee, and I find no entries at any of those locations, further substantiating the fact that a Notice of Allowance and Fee(s) Due was not received by the firm of Schiff Hardin LLP.

4. If and when a Notice of Allowance and Fee(s) due is received from the Patent and Trademark Office, the date on which the fee or fees is/are due is entered by me, or those under my supervision, at three different locations in the filing and docketing system that is maintained by the firm of Schiff Hardin LLP

5. The first location at which an entry would have been made if a Notice of Allowance had been received by the firm of Schiff Hardin LLP in connection with this application is the front of the file itself. A copy thereof is attached hereto as Attachment "A". This file was originally opened at the firm of Hill & Simpson, and therefore still bears the name and address of Hill & Simpson thereon, however, this file was physically transferred to the firm of Schiff Hardin LLP in August, 2000. The last entry shown on the front of this file is the entry indicating a response to the Notice Regarding Drawings, dated December 16, 2005, is due on February 16, 2006. If a Notice of Allowance had been previously or subsequently received, I, or those under my supervision, would have made an entry after "Allowed" in the "Issue Date" section indicating the date of the Notice of Allowance, and an entry after "Fee Due" indicating the date on which the Issue Fee was due. The absence of any such entries on the front of this file indicates that no Notice of Allowance was received in connection with this application.

6. The second location at which an entry would have been made by me or those under my supervision if a Notice of Allowance had been received for this application is in a so-called "Issue Fee Log". After receiving the aforementioned Notice Regarding Drawings I was requested by the attorney in charge of this application, Steven Noll, to check the PAIR file, and I only then learned that a Notice of Allowance was in PAIR, requiring submission of the Issue Fee by November 25, 2005. A copy of the page from the Issue Fee Log for November 25, 2005 is attached hereto as Attachment "B". If the Notice of Allowance and Fee(s) Due, for which an Issue Fee was

due on November 25, 2005, had been received at Schiff Hardin LLP, an entry would have been made for the month of the Issue Fee Log for that date. The absence of such an entry at this location in the Issue Fee Log indicates that this Notice of Allowance and Fee(s) Due was not received at Schiff Hardin LLP.

7. The third location at which I or those under my supervision would have made an entry is in the computerized docket for this application. A printout of the contents of the computerized docket maintained under my supervision at the firm of Schiff Hardin LLP is attached hereto as Attachment "C". The absence of any entry in this computerized docket for any of the aforementioned Notice of Allowance and Fee(s) Due indicates that this Notice of Allowance and Fee(s) Due was not received at Schiff Hardin LLP.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this verified statement is directed.

DATE: Feb. 13-2006


LYNN WEIDENFELLER

CH1\ 4468077.1



Billing 26965-0284

GROUP ART UNIT 3738 **PATENT APPLICATION** CASE NO. P00.1737
 CLIENT BILLING NO. 26965 CLIENT REF. NO. 2000P1548465
 CORRESPONDENCE TO: Siemens
 INVENTOR(S): Alto Stemmer, Rainer Kaim and Thomas Kluge

TITLE OF INVENTION: Method for Altering a Protocol in a Magnetic Resonance Apparatus

EXECUTED: Oct. 31, 2000 SERIAL NO.: 09 / 710.903
 FORWARDED: Nov. 13, 2000 FILED: Nov. 14-2000
 PARENT SERIAL NO. _____ IDS: None
 DIV./CONT. FILED: _____ PRIORITY DOC. MAILED: _____

ASSIGNEE Siemens Aktiengesellschaft
 ASSIGNMENT: Dated Oct. 31, 2000 To Pat. Off. Nov. 13, 2000
 RECORDED: Date Nov. 14-00 Reel 011275 Frame 0917 ID: 101533214A

PATENT OFFICE COMMUNICATIONS

Action Dated	Amendment Due	Amendment Mailed	Action Dated	Amendment Due	Amendment Mailed
<u>May 30-03</u>	<u>Aug. 30-03</u>	<u>Aug. 20-03</u>			
<u>Nov. 3-03</u>	<u>Feb. 3-04</u>				
<u>PTD Paper dated July 23-2004</u>					
<u>Procedural Notice Oct. 18-04</u>					
<u>(SP) Dec. 16-04</u>	<u>Feb. 16-06</u>				

Appealed Date Dec. 12-03 Brief Due Feb. 12-04 Brief Mailed Feb. 2-04
 Ex. Ans. Dated April 21-04 New Points June 21-04 New Grounds June 21-04
 Suppl. Ex. Ans. Dated _____ - mailed June 21-04 - mailed _____
 Reply Due March 18-05 Hearing Date Wed. April 20th 2005 Appeal No. 2005-0016
 Reply Mailed _____ - mailed Mar. 2-2005
 Hearing Requested June 21-04 Hearing Reg. Mailed June 21-04 Hearing Waived NO
 Decision Dated April 28-05 Req. for Rehearing June 28-05 Appeal CAFC June 28-05
 - mailed _____ - mailed _____

ISSUE DATE

Allowed _____ Fee Due: _____ Pat. Issue Approved by _____ Date _____
 Drawings Due: _____ Drawings Mailed: _____ Proofread: _____
 Issue Fee Mailed: _____ Patent No. _____ Dated _____
 REMARKS Confirmation No. 6144

ATTACHMENT "A"

LAW OFFICES
HILL & SIMPSON
 A Professional Corporation
 85th FLOOR SEARS TOWER
 CHICAGO, ILLINOIS 60606

491/899

Nov. 2005[illegible]

CH2\ 1231531.1

ATTACHMENT "B"

Country Application

Monday, February 13, 2006

Page: 1

Docket Number: P00,1737

Country: US

SubCase:

Client: Siemens Aktiengesellschaft

United States of America

Case Type: ORD

Application Status: Pending

Application Number: 09/ 710,903

Filing Date: 14-Nov-2000

Publication Number:

Publication Date:

Patent Number:

Issue Date:

Parent/PCT Number:

Parent/PCT Date :

Parent Issue Number:

Parent Issue Date :

Tax Schedule: LE

Expiration Date:

GAU: 2174

Forward Date: 13-Nov-2000

Confirmation #: 6144

Patent Term Adjustment: 0

Owner: 50422

SIEMENS AKTIENGESELLSCHAFT

Agent:

Agent Reference #:

App.Title: METHOD FOR ALTERING A PROTOCOL IN A MAGNETIC RESONANCE APPARATUS

Family Reference:

Client Reference No: 2000P15484US

Remarks: DECLARATION AND ASSIGNMENT WERE EXECUTED OCT. 31, 2000 AND MAILED TO THE PTO NOV. 13, 2000

PTO PAPER DATED JULY 23, 2004 - "REPLY BRIEF FILED JUNE 24, 2004 HAS BEEN ENTERED AND CONSIDERED. THE APPLICATION HAS BEEN FORWARDED TO THE BOARD OF PATENT APPEALS AND INTERFERENCES FOR DECISION ON THE APPEAL"

DOCKETING NOTICE FROM THE USPTO DATED OCT. 18, 2004 INDICATING THE APPEAL DOCKETING NUMBER - IT IS 2005-0016

Abstract:

ATTACHMENT "C"

List Of Actions

Action(s) Due	Due Date		Action Taken
POSTCARD	04-Dec-2000	Due Date	14-Dec-2000
Status for OFR	13-Jan-2001	Due Date	09-Feb-2001
Information Disclosure Stmtnt	14-Feb-2001	Due Date	09-Feb-2001
Application Status Check	14-May-2002	Due Date	30-May-2003
3 Month Due Date	30-Aug-2003	Due Date	20-Aug-2003
1st Extension	30-Sep-2003	Due Date	20-Aug-2003
2nd Extension	30-Oct-2003	Due Date	20-Aug-2003
Awaiting Examiner Response	20-Nov-2003	Due Date	03-Nov-2003
6 Month Deadline	30-Nov-2003	Final	20-Aug-2003
2 Month Reminder	03-Jan-2004	Reminder	12-Dec-2003
3 Month Due Date	03-Feb-2004	Due Date	12-Dec-2003
Appeal Brief Due	12-Feb-2004	Due Date	02-Feb-2004
1st Extension	03-Mar-2004	Due Date	12-Dec-2003
1st Extension	12-Mar-2004	Due Date	02-Feb-2004
2nd Extension	03-Apr-2004	Due Date	12-Dec-2003
2nd Extension	12-Apr-2004	Due Date	02-Feb-2004
Awaiting Examiner Response	02-May-2004	Due Date	21-Apr-2004
6 Month Final Date	03-May-2004	Final	12-Dec-2003
3rd Extension	12-May-2004	Due Date	02-Feb-2004
6 Month Final Date	12-Jun-2004	Final	02-Feb-2004
New Grounds	21-Jun-2004	Due Date	21-Jun-2004
New Points	21-Jun-2004	Due Date	21-Jun-2004
Request for Oral Hearing	21-Jun-2004	Due Date	21-Jun-2004
Awaiting Examiner Response	21-Oct-2004	Due Date	25-Feb-2005
Confirmation of Oral Hearing	18-Mar-2005	Due Date	02-Mar-2005
HEARING DATE	20-Apr-2005	Due Date	20-Apr-2005
CAFC	28-Jun-2005	Due Date	28-Jun-2005
Request for Reconsideration	28-Jun-2005	Due Date	28-Jun-2005
Awaiting Examiner Response	28-Oct-2005	Due Date	16-Dec-2005
Drawings Due-No Extension	16-Feb-2006	Due Date	

Assignment History

Assignment From	Assignment To	Assignment Date	Reel	Frame
			011275	0917 ID: